

Introduced by Committee on Environmental Quality (Senators Lowenthal (Chair), Campbell, Chesbro, Cox, Escutia, Figueroa, Kuehl, Runner, and Simitian)

February 22, 2005

An act to amend Section 25197.1 of the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 982, as introduced, Committee on Environmental Quality. Hazardous waste: enforcement.

Existing law requires the Director of Toxic Substances Control to establish a Hazardous Waste Enforcement Unit within the Department of Toxic Substances Control and to appoint an enforcement coordinator to administer that unit and carry out various duties.

This bill would require the enforcement coordinator to additionally establish and maintain a Web site for receiving reports concerning violations of the hazardous waste control laws and any other statutes and regulations that govern hazardous waste. The bill would also make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25197.1 of the Health and Safety Code
- 2 is amended to read:
- 3 25197.1. (a) The director shall establish a Hazardous Waste
- 4 Enforcement Unit within the department and shall appoint an
- 5 enforcement coordinator to administer that unit and carry out the
- 6 duties specified in subdivision (b).

(b) The enforcement coordinator shall do all of the following:

(1) Require that information which the department receives concerning a violation of this chapter or any regulation or order issued pursuant to this chapter is routinely and expeditiously transmitted from the department to the appropriate city attorney or district attorney, and to the Attorney General.

(2) Make recommendations of persons to be awarded payment pursuant to Section 25191.7.

(3) Make annual recommendations to the Governor and the Legislature of statutory changes to increase the capability of city attorneys, district attorneys, and the Attorney General to prosecute violations of this chapter and any other law or regulation relating to hazardous waste, including needed training, assistance, and coordination programs.

~~(4) Report to the Governor and the Legislature, in the biennial report specified in~~ *Post on its Web site, pursuant to Section 25178, on the actions taken by the enforcement coordinator and the Hazardous Waste Strike Force to carry out this article and the results obtained from those actions in increasing the effectiveness of local and state hazardous waste enforcement activities.*

(5) Establish and maintain a toll-free telephone number, operating during the regular working hours of the department, ~~which~~ *that* is available to the public to report information concerning violations of this chapter and any other hazardous waste statutes and regulations. The department shall screen calls for violations and shall refer information concerning potential violations within three working days to the regional office of the department, the office of the city attorney, the district attorney, or the Attorney General, as appropriate.

(6) Establish a program to publicize the toll-free telephone number.

(7) Establish and maintain a Web site for receiving reports concerning violations of this chapter and any other statutes and regulations that govern hazardous waste.

(c) Nothing in this article limits the authority of a city attorney, a district attorney, or the Attorney General to investigate or prosecute violations of hazardous waste laws or regulations.

(d) Nothing in this article limits the authority of the department or any agency specified in subdivision (a) of Section

1 25197.2 to request that a civil or criminal action be brought by a
2 city attorney, a district attorney, or the Attorney General under
3 any other law or regulation.

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